

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:19 CR 202
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
JOSE MEDINA-GOMEZ,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge David A. Ruiz, regarding the change of plea hearing of Jose Medina-Gomez, which was referred to the Magistrate Judge with the consent of the parties.

On April 2, 2019, the government filed a one count Indictment, charging Defendant Jose Medina-Gomez with Illegal Reentry, in violation of Title 8 U.S.C. § 1326. Defendant Medina-Gomez was arraigned on April 18, 2019, and entered a plea of not guilty to Count 1 of the Indictment, before Magistrate Judge Greenberg. On May 16, 2019 Magistrate Judge Ruiz, received Defendant Medina-Gomez's plea of guilty to Count 1 of the Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Medina-Gomez is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily.

The plea agreement is approved.

Therefore, Defendant Medina-Gomez is adjudged guilty to Count 1 of the Indictment, in violation of Title 8 U.S.C. § 1326, Illegal Reentry. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on June 7, 2019, at 10:30 a.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

UNITED STATES DISTRICT JUDGE

May 31, 2019